

## TAMMANY WILL TRY TO PASS BUILDING CODE

Alderman Kenneally Reports That the Mayor's Suggestions Have Been Complied With.

### DRAFT IS "AT PRINTER'S"

Citizens Union Demands Publicity—If Enacted Fusion Board Will Be Unable to Amend It.

As had been anticipated, the Tammany Board of Aldermen intends to jam through its building code—if it can, and it thinks it can—before it passes out of existence on December 31. After Alderman Kenneally, chairman of the Building Committee, had reported at the last regular meeting yesterday that the code as presented in May had been changed to meet the objections of Mayor Gaynor, the Tammany members voted to hold a special meeting on Friday to consider the code.

Interests that have opposed the proposed code on the ground that it unduly discriminated against concrete construction and in favor of the hollow tile interests were lining up last night to make a vigorous protest against any eleventh-hour attempt at passage.

Nominally the Tammany vote in the present board is forty-two, as opposed to thirty-seven Fusionists. In addition to this about four of the so-called Fusion men have been voting off and on with Tammany. Most of them were not re-nominated, and are counted on to vote for the code.

On the other hand, several of the Brooklyn Democrats and some from Richmond are said to be unalterably opposed to the code. Unless they are placated the vote will be close.

If it passes and gets the signature of the Mayor, it will be practically impossible for the Fusion Board of Aldermen, which comes in on January 1, to change it. Although they might make amendments, the Mayor probably would veto them if he considered the code in proper shape at that time.

It was impossible to see a draft of the proposed building code last night, as it had been sent to the printer, and it was said, would not be ready before Friday.

Modifications by the Committee. Alderman Kenneally, in presenting his report yesterday, said the committee had

complied with the suggestions of the Mayor in the following particulars:

1. The requirement for the screening of chimneys to be used in cinder concrete has been eliminated.
2. The height of reinforced concrete buildings has been limited to 100 feet.
3. The use of segmental and flat arches is made optional.
4. The stresses upon reinforced concrete are made 650 pounds on extreme fibre, and 450 pounds in direct compression.
5. The minimum thickness of flat arches of concrete is made 4 inches.
6. The weight of the reinforcing material in cinder concrete is made one-third of a pound, instead of one pound.

"With these changes," the report went on to say, "and a change in the requirements as to frame buildings in the Borough of Brooklyn, and other minor changes recommended by the Superintendents of Buildings of the Boroughs of The Bronx, Brooklyn, Queens and Richmond, the committee believes that the proposed code is now ready for presentation in a shape to provide for proper regulation of the building industry in all its branches."

#### Citizens Union Protests.

Clarence Bishop Smith, chairman of the committee on Board of Aldermen of the Citizens Union, wrote to Alderman Kenneally last night, saying in part:

"The code ought to be open to public inspection for a reasonable time before any action is taken upon it, so that there may be opportunity for the expression of public opinion. It is stated that amendments have been made in the building code, but no copies of the code in its final form are available, and all consideration by the people is therefore impossible. The code will contain more than two hundred pages.

"We wish to urge upon you most strongly the gross impropriety of taking any action on this matter at the present time. The attempt to pass the code with this unseemly haste can only discredit those responsible for such procedure."

#### FILES ANSWER TO MAGAZINE

Hitchcock Denies Discrimination Against "Review of Reviews."

Frank H. Hitchcock, Postmaster General, filed a formal answer yesterday in the United States Circuit Court to the complaint of the Review of Reviews Publishing Company in the effort to enjoin him and Postmaster Morgan from putting into effect a new postal rule, which provides for the transportation of second class mail, consisting of publications issued at intervals longer than bi-weekly, by fast freight trains instead of fast mail trains in the third class section.

The Review of Reviews company alleged that the new rule was a discrimination against it, particularly because it did not apply to "The Outlook," a publication which, although issued weekly, has been treated for four weeks, which practically put it into the class of monthly magazines.

In his answer Mr. Hitchcock denied discrimination and said notice of the new rule was served on the seventeen hundred magazines affected long before it became effective. The handling of second class mail, he added, caused the government an annual loss of about \$2,000,000, and the new regulation was one of the efforts to reduce this loss.

As soon as the contracts between the United States and the railroads expire, in the course of the next three years, in the other three contract sections this regulation will be extended over the whole country, Mr. Hitchcock said. The saving made in the third class section under the new rule has been \$1,400,000 this year, the Postmaster General said, and he expects a saving of \$2,000,000 a year after the rule has been made to apply to the whole country.

An application for a preliminary injunction, made by the Review of Reviews company a month ago was denied by Judge Ward, of the United States Court.

#### ATTACKS SHIPPING LAWS

E. G. Warfield Tells Traffic Club Some Are Obsolete.

E. G. Warfield, president of the Traffic Club of New York, and vice-president and general manager of the Seaboard and Gulf Steamship Company, in opening a discussion on "Our Merchant Marine," in the Waldorf-Astoria last night, said, in his opinion, that among the obsolete laws in our national statutes were those relating to the merchant marine. He declared new laws must replace the old ones before any maritime advancement could be made. The speaker continued:

"We are just beginning to find our place among the nations of the world. Our merchant marine, if properly fostered, can be one of the most important industries of the United States, not only to handle our domestic commerce, but to command a fitting position in the marine standing of the world."

It is charged that the transatlantic railroads have with certain banks most interested in them, have worked against the enterprise, and made it difficult for those interested to obtain the funds for the building of vessels. This has been denied with a statement that the project does not promise adequate returns to those having money to invest. If this is true from any point of view, Congress has certainly a very serious question to handle and correct.

Mr. Warfield next reviewed the policy of insuring merchant vessels, and gave a description of the work of Lloyds. He then said:

"There is something radically wrong. A single American firm recently imported from Europe two thousand tons of cherries because our freight rates made domestic fruit more expensive than the European article, even with duty added. It is cheaper to pay freight and tariff duties on the Australian apples than to buy packing cases made from American lumber."

#### SHOT YEAR AGO; IS DYING

Policeman Who Improved After Operation Has Relapse.

Policeman Pasquale J. Buffalo, of Mount Vernon, who was shot by Alexander Tiso, of New York, while trying to stop a street brawl on January 13 last, was reported as dying last night in his home, in North Sixth avenue, Mount Vernon.

Buffalo was taken to the Mount Vernon Hospital after the shooting, and it was found that a bullet had passed through his spine. A delicate operation was performed, and, much to the surprise of the physicians, Buffalo appeared to be regaining his health. But when he was taken to his home in March last it was thought that he might regain control of his legs. His condition improved until last Thursday, when he had a relapse, and it was found that the paralysis was creeping toward his heart.

A two was held in H-99 hall for shooting Buffalo and was a witness against the six Croton Lake murderers who were recently convicted in White Plains.

#### COUNTRY CLUB TO CONTINUE

Newport Organization Votes Not to Disband Because of Criticism.

[By Telegraph to The Tribune.] Newport, R. I., Dec. 26.—The Newport Country Club met this evening to decide whether the organization should continue. Thirty members were present and after a three hours' discussion the following public statement was made:

"A largely attended meeting of the Newport Country Club was held this evening, at which many of the old members were present, and it was decided to continue. The members unanimously agreed that this action was absolutely necessary in view of the unfavorable criticism to which the club has been late subjected. A new board of governors was elected, consisting of Edward J. Dunne, H. J. Hays, Thomas Hardy, Dr. Howard Mathers and H. Werner."

#### PORTO RICANS TO HAVE A BALL

A ball will be held under the auspices of the Porto Rican Alliance at the Waldorf-Astoria on Saturday evening. This society was organized only a short time ago. Its membership is taken from the Porto Rican colony in this city.

## KOENIG PREFERS DANA FOR THE SPEAKERSHIP

Writes to Crane Urging Support for Him or "Some Other Suitable Candidate."

### THUS REPLIES TO CRITICS

Newcomb Sure Merritt Can Be Beaten, He Says—Meeting Will Be Held Prior to Regular Caucus.

Samuel S. Koenig, president of the New York County Republican Committee, in a letter to Assemblyman-elect S. Clinton Crane, of the 23d District, declared last night that he had been opposed to the election of Edwin A. Merritt, Jr., as speaker of the Assembly from the start, but that the sentiment of the Assemblymen from this county had not seemed to crystallize on any suitable candidate to oppose Merritt.

Mr. Crane was told that he could best aid the cause by securing the unanimous support of the delegation "for Mr. Dana (meaning Charles A. Dana) or some other suitable candidate."

This letter was called forth by an astonishingly critical letter to Mr. Koenig, in which the head of the organization was called a "traitor" for not organizing a fight against Merritt. After reciting objections to the latter, the letter declared:

"In the face of these facts I have awaited effective leadership against the menace to public and party welfare involved in Mr. Merritt's candidacy."

"I have waited in vain I now request from you a clear statement of any plans which you may have for dealing with this crisis. If you have no such plans, others must undertake the task."

The conference of Assemblymen will convene on Wednesday. Unless some one more energetic takes the lead, I shall move at that point that the caucus action be postponed until after the election of Mr. Merritt's candidacy, in form of active work for a better man."

Mr. Koenig's reply in full is as follows: Hon. S. Clinton Crane, No. 116 Nassau street, New York City.

Dear Sir: From the time that Mr. Merritt announced his candidacy for the Speakership I have been opposed to his election. I so stated to Mr. William Barnes, Jr., the chairman of the Republican State Committee, and to Mr. Crane, when he was elected to the New York County Republican Assemblymen from this county on Friday.

Prior to that conference I had taken steps to ascertain the extent of the opposition to Mr. Merritt and to learn of likely candidates for the Speakership. It was my belief that the sentiment of the Assemblymen would favor the matter as I did and would unite on some suitable man other than Merritt. For that reason I immediately after election I urged you and the others not to commit yourselves.

Despite the criticism against the candidacy of Mr. Merritt, which I am glad to know held so strongly, by doing your utmost to secure the unanimous support of the New York County Republican Assemblymen for Mr. Dana or some other suitable candidate.

Very truly yours, SAMUEL S. KOENIG. Senator Joseph T. Newcomb, who lives in Mr. Crane's district and is the only Republican Senator from New York County, has been advising Mr. Crane in his course, it was understood.

"If Mr. Koenig will not lead in the fight against Merritt," the Senator said last night, "somebody else will. I am sure that Merritt can be beaten. He has not got such a large number of votes pledged to him as you think. Of course, it is always the play of weak men to claim everything, and it is just what weak men would believe."

Mr. Crane in his letter referred to the conference of the Republican Assemblymen on Friday and declared: "You were present. I did not gain from your expressions at the time that you were dealing with what appears to be a crisis in the affairs of the party. I gained, in fact, a wholly contrary opinion."

Mr. Crane went on to say that he had no doubt Mr. Merritt was able, agreeable and experienced, but he had informed himself of the candidate's public record and had no hesitancy in saying that his record stamped him as unfit for the office he sought and as totally unworthy of the best sentiments and aspirations of the Republican party. He added: "The suggestion that Mr. Merritt's election must be submitted to by default because no other candidate is available is unworthy of consideration."

Assemblyman Charles A. Dana returned to the city yesterday after a visit to Buffalo in the interests of his candidacy for Speaker. He said there would be a caucus of the anti-Merritt men at Albany Tuesday afternoon prior to the general caucus in the evening. He declared he would willingly withdraw from the field if another good man could be found to oppose Merritt. The local Republican Assemblymen will talk over the question again this afternoon.

John J. Hopper, chairman of the Independent League, has sent a letter to each Republican member of the Legislature, in which he says, in part:

"Not being a Republican, of course I make no claim to interfere in Republican party matters, but as a citizen who believes in the Republic in power last month, I have a right to demand that their pledges be redeemed."

"I have followed the news as to the proposed organization of the Assembly next month, and I am glad to hear that it has been taken to organize that body except by the 'Old Guard'."

"What reform measures are likely to come from a body presided over by a Merritt, with a Smith or a Ten Eyck as clerk, is a matter that I do not wish to touch. I am a Republican, and it has been less marked in this state only because of wretched and reactionary leadership. Do the Republicans intend to return to the same kind of leadership, and in a Presidential year drive all the independent voters away?"

#### OLD MAN TRIES SUICIDE

Grieving Over Death of Grandchild, He Slashes Both Wrists.

Grief over the death of his grandson, made more poignant by his grandchild's childish glee over her Christmas presents, is supposed to have caused James H. Hix, a sixty-two years old, of No. 49 East 133d street, to attempt suicide yesterday morning by cutting both wrists. He was at the home of his daughter, Mrs. Harold Chapman, No. 467 Park avenue, The Bronx, and was found in the bathroom by his daughter bleeding freely. He was taken to Fordham Hospital, where it was said he probably would recover.

Mrs. Chapman told the police that on Friday Harold Chapman, Jr., who died a few months ago. The boy had been a favorite with his grandfather, and Hix made the remark that it would not be long before he "joined the little fellow."

Mrs. Chapman went out yesterday to do some marketing and left her father with Mary Chapman, five years old, who was playing with the recovered Christmas presents. When Mrs. Chapman returned she missed her father, and soon found him in the bathroom.

## QUITE A MERRY WAR OVER PEACE DINNER

Now Discovered Invitation to Mr. Roosevelt Was Withheld; Secretary Is Reprimanded.

### DUE TO MISUNDERSTANDING

M. J. Bloomer Says He Did Not Mail Letter Because the Ex-President Had Written He Could Not Attend.

Dissension and misunderstanding in the ranks of the committee of the Citizens' Peace Dinner, to be held in the Waldorf next Saturday evening, with President Taft as the guest of honor, brought about a heated argument yesterday in a corridor of the Waldorf, outside of the committee's meeting room. The misunderstanding was over the question as to whether Theodore Roosevelt had been invited to the dinner, and the discussion culminated in a reprimand for Millard J. Bloomer, executive secretary, when he declared that he had not obeyed the orders of the committee and had not sent Mr. Roosevelt an invitation.

John Temple Graves, who has been selected to serve as toastmaster, was outside of the committee room door explaining to a group of reporters the committee's attitude on the question of inviting Mr. Roosevelt.

"Some of Colonel Roosevelt's warmest friends and admirers are on the committee," he was saying, "but even they, in view of his known attitude of opposition to the arbitration treaties proposed by Mr. Taft, doubted the ethics of inviting him to a dinner at which the President was to be the guest of honor."

"But he has been invited," said a member of the committee, who was standing near.

"No, he has not," another member said. Mr. Graves looked about helplessly.

"Yes, Colonel Graves," said Stephen M. Griswold, coming to his rescue. "Last Wednesday the committee unanimously voted while you were away to invite Colonel Roosevelt officially as a special guest. That invitation has been sent, and we are waiting for his reply."

"No, that invitation has not been sent," said Millard J. Bloomer, executive secretary of the committee.

"Not been sent?" echoed half a dozen members of the committee, with horrified looks.

"Hasn't that invitation been sent?" said Mr. Graves. "If it has not it ought to be."

"Ordered to Send Invitation." "No, it has not been sent," said Mr. Bloomer, backing up against the wall and looking resolutely before him. "I have sent a letter to Mr. Roosevelt asking his views on the arbitration treaties to see whether he could be invited with propriety."

"That is not for you to do!" cried Mr. Griswold. "You were instructed by the committee to send an invitation to Mr. Roosevelt as special guest, and if you have not done it, the sooner you do it the better. Get that letter mailed right away."

"I think this demands some explanation," Mr. Bloomer said, drawing a letter from his pocket. "Previous to this action by the committee an individual member of the committee had sent Mr. Roosevelt a private invitation, which Mr. Roosevelt supposed was his official invitation. He wrote a letter to me saying that in view of his own publicly expressed views on arbitration treaties he did not think he could attend the peace dinner. I have that letter here, and I think it ought to be given to the press."

Mr. Bloomer said, starting to hand it to a reporter.

"No, put that letter away," said Mr. Graves. "That is a matter that must be thrashed out in committee."

"Yes, and see that the invitation you were instructed to send is sent immediately," snapped Mr. Griswold.

Mr. Bloomer seemed crestfallen as he stuck the Roosevelt letter back into his pocket and went into his office, presumably to obey the committee's command of last Wednesday. The committee then went into the committee room.

Individually and collectively the members of the committee refused to say anything about the charges of attempted graft made by Henry G. Granger against Edward Owings Towne, a former member of the executive committee. Mr. Towne himself, when seen at his law offices, No. 203 Broadway, was not so reticent. He declared Mr. Granger's charges were false, and almost declared false the statement made on Sunday in his defense by an officer of the peace dinner committee. In fact, his explanation of the facts lying behind the charges of Mr. Granger differed in several respects from the explanations made by the committee representative on Sunday night.

Denies Asking for Rebate. "Is it true, as stated by the treasurer of the committee," he was asked, "that you, Mr. Towne, were authorized by the executive committee to ask Mr. Muschenheim of the Hotel Astor for a rebate of \$150 a plate for the use of the committee in meeting expenses?"

"I was not authorized to do it, but the Countess Von Boos was," he replied.

"Who is the Countess Von Boos?" he was asked.

"She is the daughter of a noted foreign general," Mr. Towne replied. "She is a noble woman interested in great movements for peace among the nations purely from humanitarian motives. In fact, it was in her mind that the idea of this glorious banquet originated."

"Is it true, as stated by a member of the committee, that the Countess Von Boos is your secretary, Mr. Towne?" he was asked.

"Well, she is associated with me in business," he replied.

At this moment a tall, dark eyed woman entered the private office without knocking. Mr. Towne agreed that she was the Countess Von Boos.

"Is it true that you, Countess, to use the language of one of the members of the Peace Dinner committee, like Isabella of Spain, pawned your jewels so that this dinner could be started?" she was asked.

"Yes, I pawned my jewels so that this dinner movement could be started," she said. "But I don't want to say anything about this thing now. Evidently Mr. Granger wants to make the dinner into a trust like the Steel Trust. I don't want to say anything until it is all over. Then I will have something to say."

An echo of another war inside the

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committee room reached the public yesterday. It was in the form of compromise to meet the alleged desire of Andrew Carnegie to be toastmaster at the dinner, in conflict with the wish of the committee to exalt John Temple Graves to that post. It was only yesterday that this burning question of who should be selected was finally settled by the appointment of Mr. Graves as toastmaster and Mr. Carnegie as "honorary president."

It was also announced that in the committee meeting a letter was read from President Taft to Mr. Graves containing the information that he would be present in time for the dinner on Saturday evening, that his speech would not consume more than thirty minutes at the outside, and that he would remain during the evening provided the entire dinner did not last more than three and a half hours.

Secretary Knox will also be present and follow the same programme.

### NOT IN MERRITT FIGHT

Mr. Roosevelt Firm—"Evening Post" on Its Statement.

Darwin R. James, Jr., and A. G. Jarvis, president and secretary respectively, of the Brooklyn Young Republican Club, tried yesterday to get Theodore Roosevelt to take a hard line in opposition to Edwin A. Merritt for speaker of the Assembly. They spent an hour with the former President at his offices in "The Outlook." Later they would not say what success they had.

Mr. Roosevelt indicated clearly, however, that he did not give his voters any encouragement by making the statement that he was not in politics. When he was asked if anybody had been to him to get support for the nomination for Governor next fall he replied, with emphasis, "Not a single human being."

"The Evening Post" yesterday printed a long story giving the circumstances leading up to the publishing of the statement from Mr. Roosevelt in regard to the Sheldon letter, to which Mr. Roosevelt took exception. The statement said, in part:

Ex-President Roosevelt on Saturday afternoon denounced as a "characteristic and peculiarly infamous falsehood" an interview with him which appeared in the "Evening Post," the purpose of which was that Mr. Sheldon and Mr. Roosevelt disagreed as to which of them had taken the initiative in the recent publication of the Sheldon correspondence relating to the Harriman campaign fund contribution in 1904.

"Mr. Roosevelt asserted that an essential portion of the interview had been omitted by the reporter. He said: 'The Evening Post' has quoted me correctly except that it characteristically omitted the beginning of my statement, which was that in the essentials Mr. Sheldon had stated the facts correctly."

Mr. Roosevelt was not correct in this statement. "The Evening Post," after careful investigation, retains complete confidence in its reporter, denies that anything was omitted from the authorized interview, and holds the whole facts in the transaction. Mr. Roosevelt's statement was printed as dictated by him and as transmitted to "The Evening Post."

### MOVE AGAINST CROMWELL

Mass Meeting Asks Mayor to Investigate His Office.

At the close of a mass meeting held in the German Club at Stapleton, Staten Island, last night, nearly one thousand residents of the Borough of Richmond, who had gathered to protest against the policy of its Commissioner of Public Works, unanimously passed a resolution requesting Mayor Gaynor to have the Commissioner of Accounts investigate the office of Borough President Cromwell, as well as the conduct of the Public Works Department in Richmond.

John Martin, of the Board of Education; Lewis Nixon, the shipbuilder; George M. Finney, ex-District Attorney of the borough; Henry E. Morrison and Alderman-elect John O'Rourke made speeches, in which the scheme of borough improvements, to which they maintained residents could ascribe the unreasonably heavy assessments, was accorded, and Commissioner Tribus, who has held the office of Public Works Commissioner for the last dozen years, was scathingly criticized.

The amendment to the original resolution asking for the investigation of the office of Borough President Cromwell, came after several speeches had been made, with a view to establishing some sort of culpable connection between the two departments for present conditions.

To care for their interests outside of the city's jurisdiction and assure the effectiveness of the night work the leaders of the meeting later secured the appointment of a committee of twenty-five persons, five from each ward, as a "committee on safety" to attend the next session of the state Legislature and endeavor to prevent the carrying out of any of the alleged unnecessary improvements. Mayor Gaynor will receive a deputation from the borough today and the resolutions will be presented to him.

### MAKES HUSBAND GIVE BOND

His Talk of Proposed Trip Abroad Causes Former Wife to Act.

Lionel E. Widder, who owns several drug stores, learned yesterday that not only is silence golden, but that promiscuous talk is also the same sometimes.

His wife, Anna Widder, obtained a divorce from him in October, the court awarding her \$9 a week alimony. Some time in November Widder called his former wife on the telephone and told her that he had \$100,000. Also, he told her that he had a letter from a woman in England who had addressed him in endearing terms, and he thought of going to London to marry her.

Mrs. Widder acted quickly. She asked Justice Bijur to make Widder file a bond for the payment of the alimony, saying that she had reason to fear that Widder was going to leave the country. Justice Bijur ordered Widder yesterday to file a bond for \$500.

### PALESTINE LECTURE COMING.

Benjamin Moschinn, of the Hebrew Gymnasium of Jaffa, Palestine, the first high school to have the Hebrew language as the medium of instruction, in two thousand years will arrive in New York on the Lusitania on Thursday, January 1, according to a cable message received by the Federation of American Zionists. Dr. Moschinn will make a tour of the principal cities of the United States in the interests of Hebrew education in the Holy Land. He speaks Hebrew, as well as Yiddish and German. A mass meeting will be held in Dr. Moschinn's honor within five days of his arrival.

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GET TRIANGLE CASE TO-DAY

Continued from first page.

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